

TOWN OF WESTFIELD

PERSONNEL POLICIES, PROCEDURES, AND BENEFITS MANUAL

(This Policy Manual Established with Ordinance 95-1 Dated January 14, 1995)
(This Policy Manual updated with Resolution 96-4 Dated February 12, 1996)
(This Policy Manual updated with Resolution 97-3 Dated February 10, 1997)
(This Policy Manual updated with Resolution 98-3 Dated February 9, 1998)
(This Policy Manual updated with Resolution 99-4 Dated March 8, 1999)
(This Policy Manual updated with Resolution 99-12 Dated December 13, 1999)
(This Policy Manual updated with Resolution 00-10 Dated December 11, 2000)

1.000 STATEMENT OF PURPOSE

1.010 Mission Statement

It is the mission of the Town of Westfield to provide community services in a professional and efficient manner to its citizens. The employees of the Town will implement the wishes and desires of the community as expressed through their elected representatives, the Town Council.

1.020 Personnel Philosophy

The personnel policies of the Town of Westfield, including pay policies and benefit programs, reflect the Town's philosophy that the town shall be a fair and just employer. The purpose of both direct and indirect compensation programs is the recognition of the value that the Town places upon its individual employees. The Town employees are integral and valuable assets crucial to the completion of the vision of the Town.

Seeing that the town's personnel policies and programs are effectively carried out is one of the major responsibilities of your supervision. The Town Manager assists your direct supervision in meeting this responsibility.

1.030 General Policy & Procedures Considerations

It is the policy of the Town of Westfield to set forth a listing of policies and procedures in order that all town employees and applicants have reasonable assurance that all policies and procedures shall be pursued in a uniform, consistent, and equitable manner. The Town Council of Westfield approves these policies and procedures.

It shall be the responsibility of the Town Manager to interpret these policies and procedures, and to ensure that they are administered in a consistent and impartial manner. Should differences exist between an interpretation made by the Department Head and the Town Manager, the Town Council will review the situation and provide final interpretation.

Personnel policies and procedures are subject to modification and revision to meet the changing needs of both management and the work force as new conditions arise during the continuing growth and complexity associated with the Town's future. Additions, modifications, and deletions to this manual will be **approved** by a resolution of the Town Council and issued by the Town Manager.

This is an employment policy guideline and should not be considered a contract of employment. All employees of the Town of Westfield shall be considered at-will employees, unless they enter into a specific contract in writing with the Town of Westfield. As a result of such employee at-will status, the Town of Westfield shall reserve the right to unilaterally abolish or modify any personnel policy without prior notice.

1.30.1 Public Safety Departments Policy & Procedures Considerations

The policies and procedures described in this manual may in some instances be superseded by more specific policies and procedures defined for the Public Safety Departments. Fire and police professional employees working in these areas should consult with their Fire Chief or Police Chief regarding any differences in policy content or procedures.

2.000 RECRUITMENT, SELECTION & HIRING

2.010 Statement of Policy

It shall be the policy of the Town of Westfield to recruit and select qualified persons for the positions in the Town's service. The Town is committed to recruitment practices that promote from within the current work force as well as appeal to all applicable others. Recruitment, selection, and placement shall be conducted in an affirmative manner to ensure open and fair competition, provide equal employment opportunity, and to prohibit discrimination because of race, religion, sex, national origin, age, mental or physical handicap, or any other basis.

2.020 Equal Employment Opportunity (EEO) Statement

The Town of Westfield is unequivocally committed to affording equal employment opportunities to all individuals, without regard to race, color, religion, sex, national origin, age, citizenship, veteran status, or disability. This policy applies to all employees and applicants for employment and in all phases of employment including hiring, placement, promotion, demotion, transfer, recruiting, advertising, treatment during employment, rates of pay or other forms of compensation, selection for training, and termination of employment.

Employees and applicants with questions or potential complaints regarding equal employment opportunities are urged to bring these matters to the attention of their immediate supervisor. Because of specific circumstances, the employee may choose to discuss these issues directly with the Department Head or Town Manager. The Town of Westfield is committed to providing a speedy review of these concerns and providing proper remedial action if necessary.

The Town will comply with its obligations to provide reasonable accommodation to qualified individuals with disabilities.

The Town is committed to the goal that each individual should have equal employment opportunities based upon the individual's abilities and interests and the needs of the Town. We strive to recognize each employee for their individual performance throughout his or her career with the Town.

Town employees and applicants who believe that they have been denied equal employment opportunity because of race, sex, ancestry, national origin, religion, disability, or age, may file a complaint with the Equal Employment Opportunity Commission (EEOC) and/or the Indiana Civil Rights Commission (ICRC).

2.030 Responsibility for Recruitment

Recruitment of candidates for specific departmental openings will be the responsibility of the Department Head of that function. Responsibility for the recruitment of department heads is the function of the Town Manager and Town Council. Responsibility for the recruitment of the Town Manager will be the function of the Town Council.

It will be the responsibility of all department heads to communicate their openings to all department heads in order to assure that internal candidates will have the opportunity to be considered for all open positions.

2.040 Qualification and Selection

The Town of Westfield may screen applicants for a position using some or all of the following criteria except where said criteria can not be shown to be job related.

- Prior job related work experience
- Knowledge, education, skills, and abilities
- Physical requirements for the job
- Work history
- Special qualifications, licenses, or certifications required for the job
- Personal and work related references

In the development of selection criteria, the Department Head and Town Manager may confer with other consultants or other skilled personnel familiar with minimum requirements for specific positions.

2.050 Drug Free Workplace

Drug Free Workplace Act of 1988

The Town of Westfield will enforce any federal or state laws insuring that all Town employees are not impaired by a controlled substance while performing their duties. Therefore, in accordance with the Drug Free Workplace Act of 1988, the unlawful manufacture, distribution, dispensing, possession, or use of controlled substance is prohibited:

- 1) At any town site or property owned by the Town of Westfield;
- 2) At any assigned workplace, at any time; and
- 3) While on duty or in the performance of duties of the Town of Westfield, whether they be on-site or off-site.

Violation of this prohibition will be grounds for immediate termination.

This Act also requires that any employee convicted of such a violation contact the Town Manager's office within 5 days of such a conviction. The Town has reporting requirements to federal and state funding sources to report such actions.

US DOT CDL

In 1988 the US Department of Transportation prescribed regulations that require employers to implement comprehensive alcohol and drug testing programs for safety sensitive employees in the road industries. In 1991, the federal government implemented new regulations extending such programs to individuals who drive trucks. As a requirement to operate certain equipment for the Town of Westfield, the Town requires certain employees to apply and receive a CDL driver's license. The Town of Westfield must implement the alcohol and drug testing requirements set forth by the US Department of Transportation and the State of Indiana. Failure to comply with any facets of the program will be grounds for immediate termination.

Drug Screening

To insure a safe environment for its employees and for the public, the Westfield Town Council passed Resolution 96-1. This resolution provides compliance with the rules of the US Department of Transportation. This resolution also extends such a comprehensive drug and alcohol policy to all Town employees.

Drug screening will be a mandatory part of the initial physical required for employment and random drug and alcohol tests will be a part of the continued requirement for employment with the Town of Westfield. Refusal to participate in this program will be grounds for immediate termination.

2.060 Employing Relatives

The Town of Westfield does not discourage employment of relatives nor does it actively encourage it. It is in the Town's best interest to hire the most capable persons available that meet the job requirements for current openings.

Members of an immediate family (spouse, parent, child, or sibling) may not, however, be employed in situations where one member is in a position of direct supervision or direct reporting to the other.

Employees who are related to each other by blood or marriage may not work together within the same department of the Town. This policy applies to all full-time, part-time or temporary employees. Any exception to this policy, because of extraordinary circumstances, must be approved by the Town Manager on a case-by-case basis.

2.070 Security and Background Information

After an applicant has completed the application process, and in the event the Town of Westfield presents a conditional job offer to the applicant, at that point such applicant may be required to undergo an investigation including some or all of the following: employment records, medical records, educational records. Applicants must aid the Town of Westfield in obtaining any of the above information as requested. Incomplete information may be grounds for rescission of such offer. All information will be kept confidential.

Notwithstanding the above, certain investigative areas, including but not limited to reference checks, credit checks, criminal history or drug record, may be addressed prior to a conditional job offer to the applicant if the position applied for presents a showing of job-relatedness with such areas.

2.080 Employment Anniversary Date

The first day of employment is your **employment anniversary date**. For most employees this date will normally be the day the employee begins his/her probationary status with the Town. This date is used to compute your eligibility for vacation and other benefits related to continuous time employed by the Town.

For those employees who were first employed through an employment agency and subsequently were hired full-time (without any separation of service) by the Town of Westfield, their employment anniversary date will be the first day that they were employed through the employment agency.

For those employees who were first employed part-time, on a continuing basis and subsequently were hired full-time (without any separation of service) by the Town of Westfield, their employment anniversary date will be calculated based upon total hours worked during the part-time status. The Town Manager and Department Head will determine the exact date of the official “hire” date.

2.090 **Employment Status**

There are four categories of employment status.

- 6 **Probationary Full-Time Employee** - Every employee during the first 3 months, months, or 12 months of employment are placed on probationary training status. Firefighters have a 12-month probation; police officers have a 6 month or 12 month probation depending on their prior training; and all other employees have a 3-month probationary period. The probationary training period may be extended by the Department Head depending on performance during this period.

For those persons employed through a temporary agency and subsequently become employed full-time, their probationary training period will have begun effective the first date of their employment through the temporary agency.

- hours **Permanent Full-Time Employee** - Any employee who averages 30 or more a week and has successfully completed his/her probationary training period of employment.

Permanent Part-Time Employee - Any employee who averages less than 30 hours per week or less than 1000 hours per year and has successfully completed his/her probationary training period of employment.

- as many **Temporary Employee** - Any employee hired for a limited period of time, usually for a specific task or project. This employee may work as few or hours per week as needed. These employees may be secured through a temporary employment agency and paid directly by that agency.

2.100 **Re-employment**

Re-employment (hiring) of an employee who has previously resigned or has been terminated will be determined on an individual case basis depending on the employee's work record, and circumstances of his/her leaving. Any person seeking re-employment must apply and be processed as any other applicant. No preferential treatment or consideration will be given to those applying for re-employment solely on the basis of the applicant having been previously employed by the Town.

Once an employee leaves the employment of the Town and is subsequently re-hired, the Town provided benefits will begin as defined in this manual. Prior service and benefits relating to time of service will be "bridged" after the specific probationary period has been met and a new date of employment will be calculated.

3.000 TRAINING & CAREER DEVELOPMENT

3.005 Responsibilities

The functions and services offered by the Town of Westfield and its employees are best performed by a work force that is properly recruited, selected, and trained on a continuing basis to provide outstanding service to the citizens of our community.

The Town encourages its employees to participate in courses, seminars, and programs which offer training and continuing education and are approved by the Department Head and/or Town Manager. Your supervision has an immediate, direct, and continuing responsibility for the development of personnel within their area.

As an employee, you share with your supervision the responsibility for your continued growth. You build a foundation for your own growth by doing your job to the best of your ability, by improving your present skills and abilities, and by developing new skills through your own self initiatives.

3.010 Probationary (Training) Employment Period

The **training probationary** period is an introductory work period during which a new employee has the opportunity to demonstrate his/her skills and the employer can evaluate their performance within the town's work environment. Discharge and/or transfer may take place at any time during the probationary period.

All employees shall be placed in the **training probationary** status immediately upon beginning their work assignment with the Town. Depending on where you are working, and the extent of your prior training, the probationary period may be 3 months, 6 months, or 12 months. New employees should ask their department head which duration applies to them.

Upon the successful completion of the probationary training period and upon the recommendation of the Department Head, each employee shall be placed on "permanent" status and be granted rights of a permanent employee.

3.015 Probationary (Disciplinary) Employment Period

A **disciplinary probationary** employment period may be recommended by supervision lasting from 3-6 months at the discretion of the immediate supervisor. A disciplinary probation period is a time period that allows the employee to address specific deficiencies that have been identified by supervision that are impacting the opportunity for continued employment with the Town. This personnel action can come at any time during an employee's employment with the Town.

This disciplinary probation is the natural progression of progressive discipline that would first have utilized verbal and written warnings addressing the specific work performance that needs to be improved.

During the disciplinary probation period, supervision will provide written feedback to the employee regarding his/her performance at least once during each month of the probationary period. If in the judgment of supervision the specific performance is not being corrected adequately, dismissal may occur immediately.

Dismissal for action not specifically being addressed with the disciplinary probation can also take place during this time in accordance with action dictating immediate dismissal as defined elsewhere in this policy manual.

3.020 Attending Seminars, Conferences, and Meetings

Occasionally employees will be asked to attend seminars, conferences, and other job related meetings that provide continuing education that would enhance that employee's performance. On other occasions, an employee may request of his/her department the approval to attend a job-related seminar. Supervision needs to approve all attendance at any training/educational seminars, conferences, or work shops.

Employees will be entitled only to regular straight time pay (for 8 hours or 7 1/2 hours whichever is the normal work shift) while attending approved seminar, conference or workshop during the normal workday. If evening participation is required for training, supervision may approve overtime pay on a case-by-case basis. 24-hour fire department: exchange time within 28-day period.

3.020.1 Travel and Expense Reimbursement

It is the intent of the Town of Westfield to reimburse all reasonable out-of-pocket expenses incurred by employees during training, conference, and meeting activities approved by the Town through the department head approval process.

The employee will complete an expense reimbursement form within 5 working days upon return from each activity. The reimbursement form will be submitted to the Department Head for an approval signature before forwarding to the Clerk-Treasurer for processing and payment.

3.20.2 Seminar/Meeting/Conference Reimbursement

Conferences, Seminars, or Meetings Attended Within 50 miles of Westfield

If the training/educational event is within 50 miles (one way) of Westfield, it is expected that the employee will drive to and from the event the same day. On these occasions the noon meal will not be reimbursable; however, mileage reimbursement may be authorized. Special exceptions to this 50-mile rule can be approved by the Department Head and Town Manager based upon individual circumstances.

Conferences, Seminars, or Meetings Attended Beyond 50 miles of Westfield

For the training/educational event beyond 50 miles (one way) from Westfield, approval may be given for overnight stays. During these situations meal allowances will only be allowed for those meals that are not a part of the conference or training. If overnight status is authorized, meals will be reimbursed up to \$30 per day with accompanying receipts.

Mileage reimbursement for use of personal vehicles used to attend conferences or training sessions will be at the rate allowed for tax purposes by the Indiana State Government.

Exceptions to any of these reimbursement or travel rules shall be approved by the Department Head **and** Town Manager depending on unusual or extraordinary circumstances that may be present during the activity, conference, or meeting.

3.030 University & Technical Schools Educational Programs

The Town Manager may consider for approval, on a case-by-case basis, requests for tuition reimbursement for specific university or technical school classes and preparatory courses that are directly work related and recommended and approved by the Department Head.

3.040 Performance Appraisals

It is the philosophy of the Town that your job performance should be discussed with you at regular intervals to provide feedback to continually aid in work improvement. The Town's performance appraisal process will review the work contribution of all permanent status employees at least once each year.

Probationary employees will receive an appraisal after the completion of their prescribed probationary period. At that review the supervisor will release you from probation, continue the probationary status for a specified time, or terminate the employment relationship.

These appraisal discussions are centered around you--the quality of your work and your working relationships. Such discussions enable you and your supervisor to talk about how you are progressing toward your personal, departmental, and town goals and assess your performance against your approved job description. Performance Appraisals are confidential discussions between the employee and his/her supervisor.

Formal written reviews will be accomplished annually with mid-year follow-up discussions to assure that improvement plans are being accomplished as mutually planned by employees and their supervisor.

4.000 PERSONNEL BENEFITS

4.005 Eligibility

Eligibility for employee benefits is depicted on the following table for various employment status.

<u>Benefit Program</u>	<u>Permanent Full-Time</u>	<u>Permanent Part-Time</u>	<u>Temporary</u>
Matching FICA and Medicare	Yes	Yes	Yes
Health, Dental, Vision Accident and Life Ins.	Yes	No	No
125 Plan	Yes	No	No
Regular Vacation	Yes **	Yes **	No
Personal Hours	Yes **	No	No
Fixed Holiday	Yes **	Yes**	No
Floating Holidays	Yes **	No	No
Illness in the Family	Yes **	No	No
Sick Leave	Yes **	Yes**	No
<u>Retirement Programs</u>			
PERF	Yes	No	No
National Retirement Solutions 457 Plan	Yes	No	No
National Retirement Solutions 401a Plan	Yes	No	No

** Based on Actual Hours Worked

4.010 Health, Dental, Vision, Accident, and Life Insurance

The Town Council of the Town of Westfield shall establish annually the policy and contribution level for payment of the Town's share of the cost of employee health, dental, vision, and life insurance. Currently the Town pays 100% of the medical, dental and vision premium for individual employee coverage less \$10.25 per pay period, which shall be paid by the employee.

Additional coverage for dependents, spouse, and the entire family for medical, dental, and vision coverage is available at the employee's option and expense. A detail of the cost of this additional coverage is available from the Town Manager's secretary. The Town Council shall establish annually the amount, or percentage the Town will contribute toward this additional coverage for family members.

4.010.1 Effective Date of Insurance Coverage

Various benefit programs have different effective dates for new employees. Please contact the Town Manager's secretary to learn of the specifics of each benefit coverage.

4.010.2 Insurance Portability (COBRA)

Upon termination of employment from the Town of Westfield, employees and their dependents who have carried group health coverage, will be eligible to continue that coverage for a specified period of time at a premium rate somewhat higher than the group rate the Town currently receives. This program is called COBRA and the former employee pays premiums directly to the insurance carrier. Former employees need to complete an application to secure this extended insurance coverage. The Town Manager's secretary has this information.

4.015 Elective Additional Insurance

Additional insurance coverage is available from AFLAC through payroll deductions for those employees choosing to supplement their medical coverage for themselves or their families. Please see the Town Manager's secretary who will arrange for an appointment with the AFLAC agent. AFLAC is the only additional elective insurance that is available through payroll deduction.

4.017 125 Plan

The Town is a participant in the Federal 125 Plan that allows for pre-tax deductions for medical insurance premiums that provide your family with medical coverage. Elective additional insurance can also be provided through pre-tax deduction by participating in this plan. There is no cost to the employee but annual election of this plan needs to be made. Annual employee discussions in December will provide you with this opportunity. The Town Manager's secretary can explain the 125 Plan requirements and can activate your participation.

4.020 Vacation Overview

Every effort should be made to provide your supervision a minimum of 3 days notice for any request for single days of vacation. At least 2 weeks notice should be given supervision for vacation requests of 1 week or longer. Some departments may require more notice because of the need to schedule employees to fulfill shift requirements.

Regular vacation will be taken in no less than ½ day increments. Contact your department head for any special departmental requirements in this area.

General Vacation Guidelines

1. All vacation must be approved by the employee's supervisor. Vacation will not be granted for less than one/half day.
2. The town manager's office shall maintain the official records of vacation earned and used for all town employees. Department Heads have the responsibility to work with the town manager's office to have a current account of vacation time available/used.
3. You may "carry over" earned vacation in whole days from one year to the next (up to 5 days for 7.5 & 8-hour shift personnel and up to 3 days for 24-hr shift (fire

personnel). **Professional police officers and firefighters are not eligible for “carry over” vacation.**

4. In the event an employee separates from the Town’s employment, pay will be received for any earned vacation that has not been taken in the year of separation. In the event vacation has been taken during the probationary period and the employee later is terminated before the end of probation, that pay equivalent will be returned to the town through payroll deduction on the final pay.
5. An employee who retires, who becomes disabled, or who terminates employment **as of the last working day of the year**, will be paid an amount equivalent to the vacation pay for which he or she would have been eligible in the following year. Professional police and fire personnel do not accrue vacation for the next year and thus are not eligible for this payment.
6. The estate of a deceased employee will receive any vacation pay for which the employee was eligible at the time of his or her death.
7. Pay for vacation is based upon your normal work schedule.
(E.g. if your average work day is 6 ½ hours then vacation pay is for 6 ½ hours)

4.021 Vacation – Professional Police and Fire Personnel First Year

Professional Police and Fire Personnel

Days of Regular Vacation Eligibility

During First Calendar Year of Employment After 90 days

Month of Employment	Professional Police & Fire	Professional Fire
	(8 hr personnel) Days Vacation Eligibility	(24 Hr. Personnel) Days Vacation Eligibility
Jan. - Apr.	6	3
May - Jun.	4	2
Jul. - Aug.	2	1
Sep. - Dec.	None	None

NOTE: Because Professional Police and Fire personnel receive vacation during their first calendar year of service, they do not accrue vacation each year for the next calendar year. Because of this change in vacation eligibility that

began in 1999, all of these personnel are not paid for accrued vacation when they cease employment with the town of Westfield.

4.022 Vacation – Professional Police and Fire Succeeding Years

Days of Regular Vacation for Which You Are Eligible After Your First Regular Vacation year **

<u>Anniversary Years of Service</u>	Police & Fire 8 Hour Personnel <u>Days Vacation</u>	Fire 24 Hour Personnel <u>Days Vacation</u>
1st through 3rd	10	6
4th through 7th	15	9
8th through 14th	20	12
15th and over	25	15

** Eligible vacation days begin on January 1st of your anniversary year.

4.023 Vacation – Administration and Utilities Personnel First Year

There is no paid regular vacation eligibility for administration and utility employees in the calendar year in which they are employed. You receive your first paid regular vacation in the calendar year following the year you were employed. Employees earn a vested right in their next year's vacation provided active employment is continued through the end of the current year.

4.024 Vacation – Administration and Utility Personnel Calendar Year Following Your Employment Year

All personnel are eligible for regular vacation in the year following the year in which you were employed. Depending on your date of employment in the prior year, your regular vacation eligibility is indicated below. Vacation days are paid for the same hours that are the normal workday for employees.

Days of regular Vacation for Which You are Eligible in the Year Following the Year of Your Employment, Depending on Your Date of Employment **

<u>Date Of Employment</u>	<u>Days Vacation</u> 7.5 & 8 hr Shift or Other full-time shift <u>Personnel</u>
Jan. 1 - Aug. 15	10 days
Aug. 16 - Sep. 15	8 days
Sep. 16 - Oct. 15	6 days
Oct. 16 - Nov. 15	4 days
Nov. 16 - Dec. 16	2 days
Dec. 16 - Dec. 31	1 day

**4.025 Vacation – Administration and Utility Personnel
Succeeding Years Vacation**

Days of Regular Vacation for Which You Are Eligible After Your First Regular Vacation Year **

<u>Anniversary</u> <u>Year of</u> <u>Service</u>	<u>Days Vacation</u> 7.5 & 8 hr. Shift or Other full-time shift <u>Personnel</u>
1st through 4th	10 days
5th through 10th	15 days
11th through 20th	20 days
21st and over	25 days

** Eligible vacation days begin on January 1st of your anniversary year.

**4.026 Personal Hours
Overview**

Each **full-time permanent employee** shall be eligible for paid time off for personal hours as indicated in the following charts. Personal hours are intended to cover time off from work to allow the employee to resolve personal or family legal, medical, or other **personal** situations or problems that can not be accomplished during the normal days off.

These hours need to be pre-approved by your supervision after describing your personal situational need. It is expected that these eligible hours will be taken in full hour increments and must receive your supervisor's approval. Approval will depend upon available time and situation. There is no carry over of personal hours.

4.026.1 Personal Hours General Guidelines

Annual Personal Hours Eligibility
(Employees are eligible for 2 equivalent days of personal hours)
(Exception is 24-Hour Employee)

7 ½ Hour Day Employees	15 Hours per year
8 Hour Day Employees	16 Hours per year
6 ½ Hour Day Employees	13 Hours per year
24 Hour Day Employees	8 Hours per year

New employees hired before July 1st of each year **will be** eligible for ½ of the annual numbers depicted above to be used during the remainder of that calendar year. This eligibility occurs after the completion of the training probationary period.

New employees hired July 1st or after of each year **will not** be eligible for any personal hours for the remainder of that calendar year.

The Personal Hours benefit becomes available for each eligible employee effective January 1st of each new year.

4.027 Personal Hours Professional Police and Fire Personnel First Year Hours Eligible

Personal Hours eligibility
During First Year of Employment after 90 days

Month Of <u>Employment</u>	Police & Fire (8 Hour Personnel) Hours <u>Eligibility</u>	Fire (24 Hour Personnel) Hours <u>Eligibility</u>
Jan – Apr	24	8
May – Jun	16	6
Jul – Aug	8	4
After Sep 1	None	None

4.027.1 Personal Hours **Professional Police Only** **Succeeding Years**

After the first year of eligibility for personal days, the professional police officer is eligible for 5 personal days (40 hours) beginning January 1st of each calendar year.

4.030 Fixed Holidays

A fixed holiday schedule will be approved by the Town Council each year and communicated to the employees during December. These fixed holidays will be observed and paid for all full-time permanent, and probationary employees.

Holiday pay is authorized for the Professional Public Safety Personnel for these fixed holidays that are approved by the Town Council. This **Holiday pay** is also authorized for the floating holiday that the Town Council sets.

1. If a holiday falls on Saturday or Sunday, you will be notified of the day on which it will be observed. Fire and police professional personnel who work **the actual holiday date** will be eligible for the holiday pay.
2. To be eligible to receive holiday pay, an employee must work the last scheduled workday before and the next scheduled workday after the holiday. Paid absence preceding or succeeding a holiday should be approved in advance by the department head or will require a doctor's excuse in case of sick leave.
3. For public safety professional employees (firefighters and police officers) who are asked or scheduled to work on approved fixed holidays, their pay is determined by the Holiday Pay Policy. For other personnel who are asked to work on a scheduled fixed holiday, their pay is covered in the overtime pay section of this manual.
4. Employees on training probation are eligible for all fixed holidays occurring during probation.
5. Police officers receive 12 floating days to schedule as holidays in lieu of scheduled town holidays.

4.031 Floating Holidays

Two (2) additional floating holidays are authorized each year by the Town Council. The Town Council may select a specific day(s) during the year to utilize one or both of these floating holidays to create a longer time off period. If this is the case, any remaining day(s) will be chosen by the employee at his/her discretion. These floating holidays need to be planned in advance with supervision's approval and are not eligible to be carried forward to the next year if not used.

Floating Holidays must be taken in no less than ½ day increments.

Probationary employees will become eligible for the floating holiday after completion of their probationary period. Employment must occur prior to July 1st to be eligible for the floating holidays selected by the employee in their first year of employment. A new employee hired prior to July 1st will only be able to select one floating holiday.

Holiday pay **is authorized** for the Professional Public Safety Personnel for the floating holiday that is pre-established by the Town Council. Holiday Pay **is not authorized** for the floating holidays selected by individual employees.

Employee Selected Floating Holiday

Department	Probation Months	After <u>90</u> Days
Police	12 or 6	Employee Picks
Fire	12	Not Eligible
Administration	3	Employee Picks
Utility	3	Employee Picks

5.000

COMPENSATION AND PAYROLL

5.010 Compensation Programs

It is the desire of the Town of Westfield that its salary and benefit programs will attract and retain people well qualified to achieve high standards of performance in their work. We encourage new employees to build their careers with the Town. In keeping with this desire, compensation and benefit programs are reviewed annually and work performance is reviewed to encourage continued growth in your personal contributions toward the goal of providing service to the citizens of our community.

Every job with the Town is reviewed and given a salary range for a starting salary. Salary ranges are reviewed annually with other similar positions within other communities throughout the State of Indiana and changes are made when appropriate. This is accomplished annually with the Town Council approving a salary ordinance. Salary increases generally are administered annually in January of each year and are approved by the Town Council.

5.015 Pay Periods & Check Delivery

Pay periods will be for a period of two weeks and paychecks will be delivered every other Friday throughout the year. Direct deposit of your payroll is mandatory. Since direct deposit is available, no requests for early payroll checks will be honored. Payroll checks are available on alternating Fridays. You are responsible for your own time form and it should be submitted to your supervisor at the end of the two-week period. The supervisor will sign and forward the time forms to the Clerk-Treasurer's office for processing.

If for some reason you are not able to pick-up your own check, it will be released to another person only following your written authorization.

Any error in your pay should be reported immediately to the Clerk-Treasurer so it can be corrected in the next paycheck. Any payroll request must be submitted in writing, dated and signed by the employee only to the Clerk-Treasurer's office. His/her staff will respond to the request within five working days.

5.016 Attendance Cards / Forms

Employees covered by the Fair Labor Standards Act, and other employees in certain departments of the Town, are responsible for completing an attendance form each pay period. When this is the method of reporting hours worked, your pay is computed from this information.

To assure maximum accuracy this form should be completed daily. All attendance form information should be legible and in ink, with no erasures. Your signature and that of your supervisor certify the accuracy of all attendance form information.

5.020 Fair Labor Standards Act

The Fair Labor Standards Act is a federal law that, in part, establishes overtime pay requirements for certain categories of work. Individuals who are not exempted from these requirements are referred to as “non exempt” employees. Employees who are exempted from (not covered by) these requirements are classified as “exempt” employees. Your status is explained at the time of your employment.

5.030 Overtime Pay / Compensatory Time

It shall be the policy of the Town Council to comply with all state and federal laws and regulations regarding compensation of overtime for all employees covered by the provisions of the Fair Labor Standards Act effective April 1986 and as amended.

On occasion, time worked in excess of your regular shift may be compensated with compensatory time off. Compensatory time off rather than paid overtime may be granted on a case-by-case basis at the discretion of your immediate supervisor. It is recognized that the individual department heads must work within the specific workplace needs of their departments, and must have the ultimate decision responsibility in offering the compensatory time option.

General Guidelines

1. Overtime and compensatory time off shall be at the factor of 1.5 for each unit of work in excess of the established work period described below.
2. Overtime required for continuation of any given assignment beyond the normal workday shall be accumulated daily to the nearest one-half hour of service performed.
3. All overtime will be pre-authorized by department head.

4. Unauthorized overtime will not be compensated.

Utility Department Personnel

For those personnel scheduled for 40 hours per week

Hourly employees scheduled to work 40 hours per week will receive pay at the rate of time and one-half for hours worked in excess of 40 hours per week. For pay purposes the workweek begins on Sunday and ends on Saturday.

Overtime pay calculation is based upon your average hourly rate times 1.5

Administrative Office Personnel

For those personnel scheduled for 37.5 hours per week

Hourly employees scheduled to work 37.5 hours per week will receive pay at the rate of time and one-half for hours worked in excess of 40 hours per week. For pay purposes the workweek begins on Sunday and ends on Saturday. This would mean that the first 2.5 hours worked extra each week would be at straight time for these employees.

Overtime pay calculation is based upon your average hourly rate times 1.5

Public Safety Personnel (Police and Fire)

For public safety personnel (fire and police), please discuss the rules associated with overtime with your department head.

For 24-hour fire personnel, overtime is paid during the 28-day pay period when work exceeds 212 hours and 171 hours for professional police.

Effect of Absence on Eligibility for Overtime Pay

To be eligible for overtime pay at time and a half, an employee must first fulfill the regularly scheduled workweek (40 hours for all employees). Holidays (fixed and floating), Personal Days, Vacation, industrial injury accidents, and absence for jury and witness duty are considered time worked in fulfilling the requirements for overtime pay eligibility. Sick pay is not included for calculating overtime pay.

Absence for any other reason, **whether paid or unpaid**, will **not** be considered time worked in fulfilling the requirements for overtime eligibility.

Holiday Work

If a permanent employee (non-public safety) is asked to work on a holiday that is approved by the Town Council, the employee will receive pay at time and a half for the hours worked. This would be **in addition** to the regular pay for the Holiday.

5.040 Emergency Call-In Pay

Permanent employees who are paid on an hourly basis (non-exempt) may qualify for emergency call-in pay under certain circumstances. If you are notified away from work that “emergency” call-in work is necessary, you will receive overtime pay for whatever amount of work time is involved ---with a minimum of three hours at the overtime rate, even though the job may be completed in less time. For such an emergency call-in, time spent in travel to and/or from work will be considered time worked.

For the fire department, off-duty manpower called in for emergencies will also be paid a minimum of 3 hours at the overtime rate.

5.045 Holiday Pay

Professional Police and Fire Personnel

Professional police and fire personnel who work on the **actual fixed holiday dates** that are approved by the Town Council will receive an additional \$50 for a full fixed holiday date and \$25 for a 1/2 fixed holiday date. The dates worked must be the actual holiday date and not the date that the holiday may be observed by the Town.

All Other Employees

If a full-time permanent employee (non public safety) is asked to work on a fixed holiday that is approved by the Town Council, the employee will receive pay at time and a half for the hours worked in addition to the straight time for the holiday.

5.050 Workers’ Compensation Insurance

If an employee is injured on the job as a result of an accident or if an employee develops an occupational disease, the Town provides, through worker’s compensation insurance, payment of weekly income in accordance with workers’ compensation and occupational disease laws.

The employee has the responsibility of reporting any accident or injury, which occurs while working, to their immediate supervisor. Failure to report an injury while on duty, that day, or at the end of that shift may result in a denial of benefits.

Supervision will work with the Town Manager’s secretary to complete the required documents to comply with the law and meet submission deadlines.

It is critical that worker’s compensation reports be completed on time.

5.060 Payroll Deductions

Several deductions are made from your pay including federal income tax, state income tax, social security tax, Medicare tax, and county income tax. An employee, by written request, may have a portion of their wages or salary withheld for additional approved purposes, such as:

- Purchase of group health, dental and vision for family members
- Purchase of supplemental insurance coverage
- National Retirement Solutions deferred tax investment program

Social Security Tax - Medicare Tax

You pay for one-half of your social security and Medicare tax commonly known as FICA. The Town of Westfield pays the other half for you. The social security tax and Medicare tax you pay is withheld from your paycheck. This tax is a percentage of salary (up to a certain annual maximum earnings figure; and the percentage applied to your salary is also subject to change). There are four kinds of government benefits covered by this tax; disability benefits, retirement benefits, Medicare, and survivor benefits.

24 Hour Fire Department:

On January 1, 2001, the Town of Westfield will start participating in the Fire PERF program offered by the State of Indiana. Participation in this program allows the Town to replace its FICA and other retirement contributions with the amount required by the state program.

5.070 Garnishments

We expect that each employee will be responsible for their own financial obligations; however, there are times the Town will be required by law to withhold funds from your paycheck because of a court order. By law we reserve the right to charge the maximum administrative fee to the employee for each transaction.

6.000

UNEMPLOYMENT COMPENSATION

6.010 Eligibility and Description

Eligible town employees are covered by the unemployment compensation program administered through the Employment Security Division of the Indiana Department of Revenue. Generally this compensation is available to those who are terminated from town employment through no fault of their own (layoffs, manpower cut backs,) and are actively seeking employment elsewhere. Eligibility is determined by the Indiana State Employment Security Division on a case-by-case basis. An application must be made by the worker before benefits can be considered by the Employment Security Division Office.

7.000

LEAVES OF ABSENCE

7.010 Medical Leave (Sick Leave)

Sick leave is defined as absence from work with pay by any full-time permanent employee as a result of any physical injury or illness, psychological condition or disability that incapacitates the employee to a degree that performance of the employee's job assignment is impaired. However, sick leave shall not be considered a benefit of employment with the Town and upon separation from employment, voluntary or involuntary, the Town shall not pay such employee for any unused and/or accumulated sick leave. Pay for sick time will be based upon your normally scheduled workday (6 ½, 7 ½, 8, or 24 hours) in half-hour increments.

Employees on Full-Time Probationary Training Employment Status

Paid absence because of injury or illness (not related to work) during the first 90 days of all probationary training employment periods is not covered and time off from work would be **without** pay.

Sick Pay During Probation

Department	Probation Months	Eligible for Sick Days During First 90 Days of Employment	After <u>90</u> Days of Employment
Administration	3	0	1 day for each remaining full month left in the year
Fire	3	0	
Administration	12 or 6	0	
Police	3	0	
Utility			
24 Hour Fire	12	0	1/3 day for each remaining full month left in the year

Permanent Full-Time Employees

If a permanent full-time employee is absent because of illness or injury, he or she will, with department head approval, receive full pay as follows.

Beginning each January 1st all permanent full-time employees will be eligible to receive the following paid sick days.

8, 7 ½, and 6 ½ hr. Shift Personnel	-	12 days
24 Hour Shift Fire Personnel		4 days

When employees are without sick pay eligibility

In some special circumstances, permanent full-time employees with no available paid leave can request the Town Manager to approve a special exception to provide additional unpaid sick days. This request needs to come with a recommendation from the department head. Town Council approval will be required if paid leave is requested.

Carry Over Sick Days

Unused sick days for 8 and 7 1/2 hour shift personnel as of December 31 of each year may be accumulated to a maximum of 40 days and carried forward to be used in the next calendar year. 8 and 7 1/2 hour shift personnel accumulate no more than 40 sick days in one-year including the new year's sick pay eligibility.

Unused sick days for 24 hour shift fire personnel as of December 31 of each year may be accumulated to a maximum of 20 days and carried forward to be used in the next calendar year. 24-hour personnel accumulate no more than 20 sick days in one year including the new year's sick pay eligibility.

Other Administrative

If illness or injury prevents an employee from reporting for work, he/she must contact their immediate supervisor of their absence prior to time they are to begin the workday.

When on sick leave, employees must be at home, at a medical facility, or be able to explain their whereabouts when requested. Failure to provide formal documentation as to one of the three requirements will result in severe disciplinary action that may include termination. No employee on sick leave will be permitted to perform any off-duty employment.

A minor illness or injury to an employee may cause a temporary sick leave of up to three (3) days to be granted by the supervisor. No certified medical form is required, but the Town of Westfield reserves the right to obtain such a document at any time. Employees off due to illness four (4) days or longer will require medical documentation. 24 Hour Firefighter employees off due to illness for two (2) consecutive assigned workdays will require medical documentation. In addition, the Town of Westfield may request further medical review of the employee by a town-designated physician.

Absenteeism and Abuse of Medical leave

The following shall be grounds for discipline up to and including termination:

- a. Use of medical leave for reasons other than illness or injury, except as expressly permitted in this manual.
- b. Pattern of medical leave abuse. This includes recurring use of sick days on Fridays or Monday, days before or after holidays, or days before or after scheduled time off such as vacations, birthdays, personal days, or compensatory days off. This also includes repeated use of medical leave days at times which the employee reasonably should know to be important to the department because of workload, deadlines, or other causes rendering absences particularly troublesome to the department. Any combination of the above may constitute a pattern of abuse of medical leave.

7.020 National Guard and Reserve Duty Leave

The Town of Westfield recognizes the importance of military service to our country and our state.

Any employee of the Town who serves in any reserve or active branch of the military or National Guard shall be granted a leave from work assignment not to exceed 15 workdays in any calendar year. It is the policy of the Town of Westfield that when employees are on military leave they will not “lose pay”. This means that if military pay is less than civilian pay, the Town will make up the difference. If your military pay is in excess of your civilian pay, no adjustment would be necessary. In no case will any employee receive pay from the military and the town for the same work period

Pay beyond 15 days of active duty each calendar year will not be compensated by the Town if military pay is less than civilian pay

Upon return from active duty, the employee will be reinstated to their same or equivalent position.

Your supervisor may request a copy of any orders to substantiate a requested leave. Such leave shall not be charged against the employee’s sick or vacation allowance. (IC10-2-4-3)

7.030 Bereavement Leave

A one-day paid bereavement leave is authorized per death in the family as specifically described below

This includes wife, husband, son, daughter, within current marriage step-child, mother, father, step-father, step-mother, step-brother, step-sister, step-grandchild, mother-in-law, father-in-law, grandparents (employee's and spouse's), grandchildren, brother, sister, half-brother, half-sister.

With supervisor's approval, up to two additional paid bereavement days, per incident, may be granted to employees for a death in the **immediate family**.

In special circumstances, usually because of travel distances, an extension of absence with pay may be granted on a case-by-case basis and approved by the Department Head **and** Town Manager.

Any other absence in connection with funerals of other relatives or friends may be excused **without pay** if personal days are not available. This decision to allow this absence is at the discretion of the Department Heads.

For purposes of this provision a day equals the number of hours the employee would regularly have been scheduled to work on the day taken off.

7.035 Illness in the Family Leave

If serious illness occurs in your immediate family (mother, father, wife, husband, child, within current marriage stepchild) and your presence is required, pay **may** be received for a brief absence if approved by your department head. A maximum of 3 days for 8 and 7 1/2-hour shift personnel and 1 day for 24-hour shift personnel may be granted for each occurrence. The amount of paid time off depends greatly upon individual circumstances and should be reviewed with and approved by your department head upon receipt of a doctor's notification of the situation. This benefit is available for full-time permanent employees only.

7.050 Civic Leave (Jury Duty, Witness Duty)

Any permanent employee who is summoned to serve on a petit or grand jury or to appear as a witness for the Federal, State or City Government shall immediately inform their department head or immediate supervisor. This employee shall be excused from work for the days on which he/she serves.

Salary payments during this service period will be reduced by the amount received from the Court. The employee will present proof of service (subpoena) and of the amount of payment received thereof from the clerk of the court or coroner. Payment by the court to the employee for traveling expenses may be retained by the employee.

If an employee is released from jury duty by the court any time prior to noon, he/she shall report to work as soon as possible but at least within (2) hours of being released by the court.

7.055 Other Leaves

Permanent full-time employees may also receive leaves of absence for other purposes subject to the approval of the Town Manager and Town Council. These leaves may be paid or unpaid and will be considered on a case-by-case basis.

7.060 Maternity Leave

An employee who is unable to work because of pregnancy, child delivery, or other pregnancy-related causes, shall be treated for purposes of medical leave, vacation leave, leaves of absence, and other benefits, as any other employee with a medical disability. No maternity leave shall be for a period longer than 90 calendar days including the use of earned sick leave, and vacation time available.

7.070 Family and Medical Leave Act of 1993

The Town of Westfield complies with all applicable federal and state laws, including the Family and Medical Leave Act (FMLA) of 1993, as amended. Under the FMLA, eligible employees are entitled to certain rights and have certain obligations, with respect to unpaid leave for certain family and medical reasons.

An eligible employee under FMLA is an employee who has been employed by the Town of Westfield for at least 12 months and who has worked at least 1,250 hours within the last 12 months. All public sector employees who meet the above requirements are deemed an eligible employee.

An eligible employee may take FMLA leave for up to 12 weeks per leave year for any of the three different reasons:

- 1) To care for a newborn child, or a child newly placed in the employee's custody through adoption or foster care, for a period of up to one year after such birth or placement;

- 2) To care for the employee's spouse, child, or parent who has a serious health condition; or
- 3) Because of the employee's own serious health condition, if that condition renders the employee unable to perform his or her job functions.

A serious health condition is defined as any injury, illness, impairment, or physical or mental condition that requires either in-patient care in a medical facility (i.e. overnight hospitalization) or continuing treatment by a health-care provider. Continuing care is defined as care requiring more than three consecutive days' absence from work, any period of incapacity due to pregnancy or for prenatal care or chronic serious health conditions requiring periodic or occasional absences from work. Common colds, flu, earaches, etc. are not considered serious health conditions. Routine physical, eye or dental examinations are not considered within the scope of continuing treatment.

An eligible employee must give the Department Head at least 30 days notice of his or her intent to take leave under FMLA. If the employee is unable to give such notice, then the employee must notify the Department Head as quickly as possible.

In cases of leave to be taken to care for a seriously ill family member or due to an employee's own serious health condition, the employee must provide the Department Head with certification signed by the health care provider including the following information:

- 1) The date on which the serious health condition commenced;
- 2) The probable duration of the condition;
- 3) The treatment regimen prescribed;
- 4) If applicable, a statement that the employee is needed to care for his or her spouse, child, or parent and an estimated duration of such need; and
- 5) If applicable, a statement regarding the medical necessity of intermittent or reduced hours schedule leave.

An eligible employee on FMLA leave must submit to the Department Head and to the Town Manager's office a medical release indicating that the employee is able to return to work. Without such a release the Town of Westfield cannot restore the employee to an active status.

The Town of Westfield requires that the employees take any available sick and personal time while on FMLA leave. If such leave is not available, then the employee can use, if he or she so chooses, to us available vacation leave. Otherwise, leave is without pay.

The FMLA provides up to 12 weeks of job protected leave. Upon return, the employee will be restored to the position he or she held prior to taking FMLA leave or to an equivalent position with respect to pay, position and responsibility.

During FMLA leave the Town of Westfield is required to maintain the group health benefits for the employee while on leave. Any employee cost for such insurance is still the responsibility of the employee while on leave. The employee is expected to make arrangements with the Department Head and with the Town Manager's office for payment of the employee's obligation.

7.080 Vacation Leave (Unpaid)

All permanent full-time employees may request an additional ten (10) days of vacation each calendar year **without pay** (24 hour employees may request 6 days) after eligible leave is used. The Department Heads of each department **have the sole authority** to grant this additional vacation **without pay** based upon work schedules and requirements in their areas. These days are **not** eligible to be carried forward to the next year if not used and are **not guaranteed** to be granted when requested.

8.000

RETIREMENT

8.005 Program Description and Enrollment

All permanent full-time employees, including the Clerk-Treasurer, are required to join the Public Employees Retirement Fund (PERF). This plan is an employer **and** employee contributory plan. The Town of Westfield currently contributes the employee **and** employer portion of this contributory retirement plan. (Enrollment occurs immediately upon accepting employment with the Town.)

Employee contributions (made for the employee by the Town) are eligible to be refunded to the employee by PERF upon termination of employment and subsequent application submission

8.010 Public Employee's Retirement Fund (PERF)

All employees and duly elected and appointed officials of the Town of Westfield will be covered by a retirement program established and maintained by the State of Indiana except:

1. All duly appointed officials of the Plan Commission, Board of Zoning Appeals, Economic Development Commission, and Impact Fee Review Board, Impact Fee Advisory Board and Park Advisory Board
2. All part-time or temporary employees
3. Elected Town Council members

The Public Employees' Retirement Fund (PERF) pays benefits to cover employees or their survivor upon retirement, death, and in certain cases of serious illness or injury. An employee becomes eligible for participation in PERF immediately upon being employed. The Town of Westfield pays the entire cost of the PERF program for all full-time employees with the exception of the 24-hour professional firefighters.

In most municipalities, the employee shares in this retirement cost; however, the Town of Westfield has included the employee portion of this cost as an additional benefit to the personnel employed by the Town. Therefore, there is **no payroll deduction** for this state retirement program.

Full particulars regarding PERF are contained in a PERF Employee Handbook given to each employee. Additional questions should be directed to the Town Manager's secretary.

8.015 National Retirement Solutions 457 Plan Deferred Compensation (Supplemental Retirement Option)

The United States Conference of Mayors (USCM) Deferred Compensation Program was established in 1979 to provide municipal employees with an officially sponsored and monitored supplemental retirement savings plan. The program administrator is National Retirement Solutions. The program is entirely voluntary and public employees may contribute a portion of their salary **before federal taxes**, if they desire, to a retirement account. The purpose of this tax-deferred program is to help you build your own additional financial security through payroll deductions being contributed to an investment program.

The Town Manager's secretary can explain the plan requirements and also contact our representative from National Retirement Solutions who will make an appointment with you to explain this program in more detail.

8.020 National Retirement Solutions 401(a) A Town of Westfield Matching Investment Plan Administrative Employees

Beginning in 1998, the Westfield Town Council began this matching program to supplement retirement investment initiatives by all employees.

Currently the town is matching .50 for each \$1.00 invested in the National Retirement Solutions 457 Plan up to 6% of the employee's annual base salary. There are other eligibility requirements that are available through the Town Manager's secretary.

See **example** below of how this program works. This example is referring to an employee with an annual base salary of \$25,000.

Annual Base Salary	6% of Annual Base Salary into 457 Nat'l Retirement Solutions	Maximum Town Match for this example <u>\$.50 for each \$1.00 Invested</u>
\$ 25,000	\$ 1,500	\$ 750

Therefore if you invest \$1,500 into your National Retirement Solutions 457 account, the Town will match that contribution at the rate of \$.50 for each \$1.00 or \$750. If you contribute less than 6%, say \$800 into the National Retirement Solutions 457 account, the Town will match \$.50 for each \$1.00 or \$400.

8.020.1 **National Retirement Solutions 401(a)** **A Town of Westfield Matching Investment Plan** **Professional Police Officers**

Beginning in 2000 the Westfield Town Council began this special matching program to supplement retirement investment initiatives by professional police officers.

The Town Council authorizes the matching contribution amount for this program. Currently the town is matching \$1.00 for each \$1.00 invested in the National Retirement Solutions 457 Plan up to 6% of the employee's annual base salary. There is other eligibility requirements that are available through the Town Manager's secretary.

See **example** below of how this program works. This example is referring to a professional police officer with an annual base salary of \$25,000.

Annual Base Salary	6% of Annual Base Salary <u>into 457 Nat'l Retirement Solutions</u>	Maximum Town Match for this example <u>\$1.00 for each \$1.00 Invested</u>
\$ 25,000	\$ 1,500	\$ 1,500

Therefore if you invest \$1,500 into your National Retirement Solutions 457 account, the Town will match that contribution at the rate of \$1.00 for each \$1.00 or \$1,500. If you contribute less than 6%, say \$1000 into the National Retirement Solutions 457 account, the Town will match \$1.00 for each \$1.00 or \$1,000.

8.020.2 **24 Hour Fire Department:**

On January 1, 2001, the Town of Westfield will start participating in the Fire PERF program offered by the State of Indiana. Participation in this program allows the Town to replace its FICA and other retirement contributions with the amount required by the state program.

9.000 Personal Health and Welfare

9.010 On-The-Job Injury

Employees medically disabled on the job shall receive their normal rate of pay for up to five (5) days of their normally scheduled work period (public safety employees receive 2 to 3 days depending on the scheduled work period) provided a physician acceptable to the Town of Westfield certifies that the employee is unable to work. This period shall not be charged against the employee's medical leave account. Employees who are injured or become ill on the job should report the injury or illness immediately to their supervisor.

1. The employee should, at the earliest convenient time, file a report of the incident with the supervisor. The report must include all relevant information about the incident.
2. The supervisor is responsible for assuring the employee receives proper care as well as for ensuring completion of the incident report.
3. Within seventy-two (72) hours, Worker's Compensation Insurance Forms must be completed by the involved employee or, if necessary, by the supervisor. A person assigned by the supervisor will help the employee in the completion of the appropriate medical insurance and/or Worker's Compensation Forms. All of these forms should be routed to the Town Manager's secretary for processing.

9.020 On-The-Job Safety

The Town of Westfield's employees over the years have given the Town an enviable safety record. By following safety rules and instructions that have been developed based on working experience, you will help to continue to make our town a safe place to work. Your supervisor will give you any specific safety instructions based upon your specific work assignments. A serious violation of the safety rules or instructions given to you by supervision may result in disciplinary action, including dismissal.

The responsibility for this important part of your working life - your own safety and the safety of others - is shared by your supervision and by you. In the last analysis, it is individual action that results in a safe or an unsafe environment.

All employees must report to their supervisor any working conditions that they believe to be potentially unsafe or harmful. Failure of the supervisor to address the situation or convey the matter to the Town Manager could result in disciplinary action of the supervisor.

10.000 Grievances

10.010 Philosophy and Process

Satisfactory working relationships depend on communication and understanding among people. Good relationships are easier to achieve when people feel that their problems and opinions can be discussed in a direct, open manner. An open atmosphere is desirable in all areas of the Town. If you have a problem or situation concerning any aspect of your employment, you are encouraged to discuss the problem or situation clearly and openly with your supervision and/or the Town Manager. In most cases, such discussion will lead to a prompt resolution of the problem or situation.

Should the complaint remain unresolved with active dialogue, a written grievance explaining the problem in detail shall be written by the employee.

11.000 Discipline and Discharge

11.005 Philosophy

Since circumstances vary in each case involving possible disciplinary action, each situation is handled on an individual basis. Supervision will work with the employee in attempting to correct the situation. Either the employee or the employee's supervision may call upon the Town Manager in connection with disciplinary action.

The nature of the disciplinary action taken will depend on the nature of the problem and the circumstances involved.

11.010 Grounds for Disciplinary Action

Employees who engage in one or any combination of the following infractions may be subject to disciplinary action by their supervisor and/or the Town Manager.

1. Negligence on the job
2. Disobedience of orders
3. Conduct that disregards the public good
4. Repeated tardiness and/or unexcused absence
5. Lack of acceptable work performance

11.020 Tardiness / Unexcused Absence

Tardiness for non-supervisory personnel is defined as late arrivals past the stated starting time for the work day and unexcused absence for all personnel shall be defined as failure to personally notify authorized management when said employee is unable to report for work. Two (2) late arrivals or two (2) unexcused absences in a 90 day period shall result in a written notice from the Department Head that will be placed in the personnel record. Two (2) written notices in any six (6) month period may result in termination of employment.

11.030 Extent of Authority

A Department Head or Town Manager may discipline an employee who commits any of the above infractions and may impose any one or more of the following disciplinary actions.

1. Verbal Warning
2. Written Reprimands
3. Suspension from work with or without pay
4. Discharge (may require a hearing)

11.040 Progressive Discipline

Normally misconduct or unsatisfactory performance by an employee will be subject to a progressive disciplinary system, except as circumstances might otherwise suggest.

A progressive system of discipline is designed to allow both the Town of Westfield and its employees to address unacceptable work performance or misbehavior through communication and consistent action.

1. Verbal warnings will first be used in all offenses, but may not be the only means of discipline applied, depending upon the severity of the situation as determined by the Department Head and/or Town Manager.
2. Should the offense continue past the occasion upon which the verbal warning was given, the result will then be a written reprimand.
3. An additional offense, including but not limited to a repetition of the first offense or incident, within twelve (12) months of the first offense or incident, will result in a written warning and may result in a one (1) to three (3) day suspension with or without pay or a new defined disciplinary probationary period may be established.
4. A third offense or incident, including but not limited to the repetition of previous offense or incidents, within twelve (12) months of the second offense or incident, will result in immediate discharge.

11.050 Offenses That May Result in Immediate Discharge

The offenses listed below are examples of conduct for which the employee **may** be discharged immediately. This listing is not intended to be all-inclusive but rather to be illustrative in nature.

1. Reporting to work under the influence of alcohol or other drugs not prescribed by a physician
2. Drinking and/or possession of alcoholic beverages or using and/or possessing drugs not prescribed by a physician while on the job
3. Fighting while on the job
4. Threatening employees or other citizens while on the job
5. Theft while on the job
6. Theft from the Town of Westfield, which shall include unauthorized use of town property or equipment
7. Intentional or grossly negligent destruction or damaging of Town property
8. Representing oneself as a Town of Westfield employee in order to aid in committing or attempting to commit a felon or misdemeanor
9. Flagrant insubordination regarding supervisor's directions
10. Possession of dangerous weapons while on the job, except when an employee is specifically authorized to possess dangerous weapons
11. Immoral or indecent conduct or use of abusive language while on the job
12. Falsification of town records or any records kept by the Town of Westfield
13. Any attempt to commit fraud through insurance, payroll, or other administrative documents
14. Conviction of a felony
15. Unauthorized disclosure of any confidential town information
16. Absence of three days without notice
17. Refusal of drug testing without good reason

12.000 Other Rules and Regulations

12.005 Purpose

The purpose of these stated rules and regulations is to help to maintain a high level of conduct on the part of the employees of the Town of Westfield. In no way do these directives try to dictate personal manners or lifestyles, but they do seek to promote the effective skills and services that characterize the Town's employees. The rules and regulations are to be used as guidelines and should not be seen as applying only to the general ideas listed here; town employees should also incorporate their own view of positive work habits.

12.010 Performance on the Job

Every town employee shall devote his or her full-time and attention to the task at hand while on the job. Supervisors must be able to oversee subordinates at all times and take immediate action if indifferent or improper behavior is seen. Town Council members are considered by definition full-time based on their being subject to availability to resolve town matters 24 hours a day.

12.020 Conduct in the Work Place

All employees should conduct themselves on the job in a manner appropriate to the workplace. The normal standards of courtesy and consideration for others should be observed in all contacts with town associates as well as with other people who may have business to transact with our town. In particular, all employees must be sensitive to the concerns and values of others.

Included in our commitment to provide a workplace free of discrimination is a prohibition against on the job harassment of any individual because of the individual's race, sex, religion, age, national origin, citizenship, veteran status, or disability. Each of us has a right to work in an environment free of harassment.

The Town will hold all levels of supervision responsible for monitoring and complying with town practices and procedures for the handling of employee complaints about harassment and other discrimination.

The Town will not tolerate discriminatory or inappropriate conduct in the workplace. Such conduct may result in disciplinary action up to and including discharge.

Help us create a work environment free from discrimination of any sort.

12.030 Theft

Employees will not take articles of any kind, regardless of value, from any work site, emergency scene, or property that is public or private with the intent of depriving the legal owner. Violation of this regulation will result in swift and sure punishment.

12.040 Bribery

Employees will reject any attempt by an individual, group, or organization to bribe or compensate for services rendered while on the job. Any such attempts must be reported to the Town Manager and Town Council.

12.050 Notice of Absence or Delay

Employees who realize that they will be unavoidably late or absent from work must notify their immediate supervisor at the earliest possible time. Persistent lateness or absenteeism will not be tolerated.

12.060 Uniforms

Employees required to wear uniforms shall keep, maintain, and wear the uniform as specified by their supervision. After voluntary or involuntary separation from the employment of the Town, the employee will return all uniforms before the final pay is issued. The cost of any uniforms not returned or those abused beyond normal use, will be deducted from the final pay.

12.065 Dress Code

As in any business or job, you are expected to report to work in a clean and neat manner at all times. We request that you dress appropriately for the job you are performing with safety in mind.

Uniformed employees will be expected to care for the uniforms and comply with procedures for uniform pick-up and cleaning.

Non-uniformed employees are expected to wear casual business attire that is suitable to represent the Town in interactions with town residents and all visitors that seek our services.

12.070

Commitment to Quality

Employees will strive to obtain all skills and knowledge necessary to perform their job in an outstanding manner and effectively represent the Town of Westfield in all interactions. Indifference, insubordination, and improper conduct will not be tolerated.

12.080

Anti-Harassment

Employees of the Town of Westfield have a right to work in an environment free of harassment. The Town of Westfield attempts to provide all employees with a workplace free from any form of harassment because of the employee's race, gender, religion, age, national origin, citizenship status or disability.

Included in this policy is a commitment to provide a workplace free of job-related sex discrimination including sexual harassment. Sexual harassment includes but is not limited to:

- Unwelcome verbal comments or jokes and physical gestures or actions of a sexual nature toward another employee (i.e. leering or ogling, touching, patting, pinching, indecent exposure, telling vulgar jokes, and making sexually related comments);
- Unwelcome demands or requests for sexual favors (explicit and implicit);
- The promise of special treatment with regard to an individual's employment in exchange for sexual favors or sexual activity; and/or
- Any sexually related comments or conduct that has the purpose or effect of unreasonably interfering with an employee's work performance.

An employee who believes that they are being subjected to conduct or comments that violate this policy, they are encouraged to and have a responsibility to immediately report these matters to the Town Manager or to the President of the Town Council (if the report is about the Town Manager). Such reports will be treated confidentially to the extent possible, and no action will be taken against any employee because he or she reports discrimination or harassment. All employees are assured that action will be taken to investigate and resolve complaints and that the Town of Westfield is firm in its commitment to eliminate such conduct from the workplace.

All members of management, the Town Manager, all Department Heads and Supervisors, are held accountable for the effective administration of this policy. Should a manager or supervisor be advised of an infraction of this policy, or have first or second hand knowledge of a potential infraction, the manager or supervisor should report this matter immediately to the Town Manager or to the Town Council President (in case the report is about the Town Manager), who will conduct a full investigation. Failure to report conduct or comments that may be deemed an infraction of this policy will subject the manager or supervisor to disciplinary action up to and including discharge.

The Town of Westfield will not tolerate harassment or any act or discrimination. Such conduct will result in disciplinary action up to and including discharge.

The Town of Westfield asks that all employees help create a work environment free from discrimination of any kind.

12.090 Political Involvement

An employee may not perform any election or political campaign related function or act if said employee is wearing his/her uniform of the Town of Westfield. This does not pertain to voting.

12.100 Personnel Information Changes

Employees, who change their address, telephone number, marital or dependent status must report the new information to their supervisor and the office of the Town Manager within five (5) calendar days of the change. It is important to provide this new information because it may affect your pay and receipt of other town communications.

Changes in your W-4 federal personal exemption form should be made on forms available in the Clerk Treasurer's Office. If your personal family situation changes you may want to change this form.

Changes in your selection of medical coverage, dental coverage, and beneficiaries for life insurance purposes should be communicated directly to the secretary to the Town Manager.

12.110 Conflict of Interest

A public servant that knowingly or intentionally has a monetary interest in or derives a profit from a contract or purchase connected with an action by the governmental entity served by the public servant has a conflict of interest subject to disclosure. A public servant has a monetary interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of the public servant or a dependent of the public servant.

If an employee has a conflict of interest he/she shall immediately disclose their conflict of interest on the prescribed form in the Clerk-Treasurer's office.

12.120 Business / Work Hours

The Town Hall office hours are 8:00am to 4:30pm Monday through Friday. Employees in departments working outside of the Town Hall (utility, fire, and police) will have different work shifts and schedules that are determined by the department head of those departments.

12.130 Lunch Time

All employees receive a 1-hour lunch break. This **lunch period is unpaid** and will be scheduled by your immediate supervisor or determined within your work group based upon work activity. Police and fire personnel should specifically check with their department head to verify lunch arrangements that may be unique to your work group.

12.140 Resignation

If an employee should decide to leave the Town's employment it is desirable that as much advance notice as possible be given to supervision. At least 2 weeks notice is required for a termination in good standing.

An employee who resigns must return all town property, including uniforms, keys, and any other items or materials that are the property of the Town and have been entrusted to the employee during their employment. Vacation or other severance pay due the employee will not be paid until the Town has received all property due the Town.

Exit interviews will be required with the Department Head, and other relevant personnel prior to employee's last day of service.

12.150 Gambling

Gambling on town property is prohibited and shall result in investigation by line supervision and the Town Manager and may, depending on the seriousness of the offense, result in dismissal.

12.160 Absence From Work

Good attendance is important to the smooth functioning of a department, so when it is necessary for you to be absent, it is imperative that you let your supervisor know as far in advance as possible--or, in the case of illness, as soon as possible. Your supervisor will be interested in knowing the reason for and the expected length of your absence. The department's work may then, be planned accordingly.

Absence is considered unauthorized and unpaid when it is not reported at all, or when it is not reported in advance and is not approved by supervision when it is reported. An absence that is not reported for three days may result in dismissal. It is your obligation to keep your supervisor informed of your continuing absence status.

If you are absent for a prolonged period, normally dictated by a physician, you should keep your supervisor informed of your situation at reasonable intervals.

12.170 Ethics

All town personnel shall adhere to the highest of ethical standards. Any employee associated with the expenditure of public funds shall be held to the highest degree of public trust. No employee shall engage in or permit any illegal or improper purchasing practice. Further, any employee having knowledge of any questionable practices shall immediately report this knowledge to the Town Manager. Engaging in or permitting unethical or illegal conduct constitutes grounds for disciplinary action, including possible termination of employment, and/or criminal prosecution.